

**TOWNSEND
and
TOWNSEND
and
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LLP



Denver, Colorado
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May 6, 2002

VIA EXPRESS MAIL, WITH RETURN POSTCARD ENCLOSED

**SUBMISSION OF TRUE COPY OF APPLICATION WITH PETITION UNDER
37 CFR 1.10(e) TO ASSIGN APPLICATION NUMBER AND FILING DATE**

Office of PCT Legal Administration
USPTO International Division
Assistant Commissioner for Patents
Box PCT
Washington, DC 20231

10/007,120

Re: International Application No.: *not yet assigned*
Title: INITIAL FREE PREVIEW FOR MULTIMEDIA MULTICAST CONTENT
Applicant: GENERAL INSTRUMENT CORPORATION
Inventor(s): PETERKA, Petr
Submitted: October 26, 2001
Express Mail Label No. of this Submission: EL 951827617 US
Our File No.: 18926-65-4PC

Dear Officer:

Enclosed please find a true and correct copy of our submission of a new PCT Application on October 26, 2001 and a copy of the Express Mail Label as returned to us by the USPS. We have not yet received any confirmation of receipt from the USPTO regarding the subject application. Therefore, applicants hereby respectfully request the PCT Legal Office to review the enclosed documents and assign the filing date of October 26, 2001 to the subject application as indicated by the USPS on the Express Mail Label.

Please note that our deposit account No. 20-1430 has already been charged \$2191.00 on January 23, 2002 for the total prescribed PCT fees calculated for this application.

Very truly yours,


Charles J. Kulas
Reg. No. 35,809

CJK/szl

Encls.: True and Correct Copy of PCT Appln submitted October 26, 2002; copy of Express Mail Label; duplicate PCT-Easy Diskette; Transmittal Letter; Postcard

TRANSMITTAL LETTER OF THE
UNITED STATES RECEIVING OFFICE

| | |
|-------------------------|------------------|
| DATE | M. 7/2002 |
| INTERNATIONAL APPL. NO. | not yet assigned |
| ATTY DOCKET NO. | 18926-65-4PC |

| | |
|--|-----------------|
| I. Certification under 37 CFR 1.10 (if applicable) | |
| EL 951827617 US | MAY 06 2002 |
| Express Mail mailing number | Date of Deposit |

| | | | | | | | | | |
|--|--|-----------------|--|----------|--|-----------------|--|----------|--|
| II. <input type="checkbox"/> New International Application | | | | | | | | | |
| Title | Earliest priority date (Day/Month/Year) | | | | | | | | |
| <p>SCREENING DISCLOSURE INFORMATION: In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (Note: check as many boxes as apply):</p> <p>A. <input type="checkbox"/> The invention disclosed was not made in the United States.</p> <p>B. <input type="checkbox"/> There is no prior U.S. application relating to this invention.</p> <p>C. <input type="checkbox"/> The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: <i>priority to these applications may or may not be claimed on form PCT/RO/101 (Request) and this listing does not constitute a claims for priority.</i>)</p> <table border="1"> <tr> <td>application no.</td> <td></td> <td>filed on</td> <td></td> </tr> <tr> <td>application no.</td> <td></td> <td>filed on</td> <td></td> </tr> </table> <p>D. <input type="checkbox"/> The present international application <input type="checkbox"/> contains additional subject matter not found in the prior U.S. application(s) identified in paragraph C above. The additional subject matter is found on pages: _____ and <input type="checkbox"/> DOES NOT ALTER <input type="checkbox"/> MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 USC 181 and 37 CFR 5.1. See 37 CFR 5.15.</p> | | application no. | | filed on | | application no. | | filed on | |
| application no. | | filed on | | | | | | | |
| application no. | | filed on | | | | | | | |

| | | | | | | | | | | | | | | | | | |
|--|-----------------------------|-------------------|-----------------------------|-------|----------------|-------|--------------------|-------|-----------------|-------|---------------|--|--|-------------------|--|-------------------|--|
| III. <input type="checkbox"/> A Response to an Invitation from the RO/US. The following document(s) is (are) enclosed: | | | | | | | | | | | | | | | | | |
| <p>A. <input type="checkbox"/> A Request for an Extension of Time to File a Response.</p> <p>B. <input type="checkbox"/> A Power of Attorney (General or Regular)</p> <p>C. <input type="checkbox"/> Replacement pages:</p> <table border="1"> <tr> <td>pages</td> <td>of the request (PCT/RO/101)</td> <td>pages</td> <td>of the figures</td> </tr> <tr> <td>pages</td> <td>of the description</td> <td>pages</td> <td>of the abstract</td> </tr> <tr> <td>pages</td> <td>of the claims</td> <td></td> <td></td> </tr> </table> <p>D. <input type="checkbox"/> Submission of Priority Documents</p> <table border="1"> <tr> <td>Priority document</td> <td></td> <td>Priority document</td> <td></td> </tr> </table> <p>E. <input type="checkbox"/> Fees as specified on attached Fee Calculation sheet form PCT/RO/101 annex</p> | | pages | of the request (PCT/RO/101) | pages | of the figures | pages | of the description | pages | of the abstract | pages | of the claims | | | Priority document | | Priority document | |
| pages | of the request (PCT/RO/101) | pages | of the figures | | | | | | | | | | | | | | |
| pages | of the description | pages | of the abstract | | | | | | | | | | | | | | |
| pages | of the claims | | | | | | | | | | | | | | | | |
| Priority document | | Priority document | | | | | | | | | | | | | | | |

| | |
|---|--|
| IV. <input checked="" type="checkbox"/> A Petition under 37 CFR 1.10(e) | <input type="checkbox"/> A Sequence Listing Diskette |
|---|--|

| | | | | |
|--|--|--|--|---------------------------------|
| V. <input checked="" type="checkbox"/> Other (please specify): | <input type="checkbox"/> Chapter II Demand | <input type="checkbox"/> PCT-Easy Diskette | <input checked="" type="checkbox"/> Postcard | <input type="checkbox"/> Letter |
|--|--|--|--|---------------------------------|

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430.

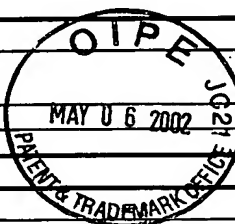
| | | |
|-------------------------------------|---|----------------------|
| The person signing this form is the | <input type="checkbox"/> Applicant | Charles J. Kulas |
| | <input checked="" type="checkbox"/> Attorney/Agent (Reg. No.) 35,809 | Typed name of signer |
| | <input type="checkbox"/> Common Representative | Signature |

TRANSMITTAL LETTER OF THE
UNITED STATES RECEIVING OFFICE

| | |
|-------------------------|--------------------------------|
| DATE | JC02 Rec'd PCT/PTO 06 MAY 2002 |
| INTERNATIONAL APPL. NO. | unassigned |
| ATTY DOCKET NO. | 18926-65-4PC |

I. Certification under 37 CFR 1.10 (if applicable)

| | |
|------------------------|------------------|
| EL 827 154 311 US | October 26, 2001 |
| Express Mail Label No. | Date of Deposit |



COPY

II. ☒ New International Application

| | | |
|-------|---|---|
| Title | INITIAL FREE PREVIEW FOR MULTIMEDIA MULTICAST CONTENT | Earliest priority date (Day/Month/Year) |
| | | 26 October 2000 |

SCREENING DISCLOSURE INFORMATION: In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (Note: check as many boxes as apply):

- A. ☐ The invention disclosed was not made in the United States.
 B. ☐ There is no prior U.S. application relating to this invention.
 C. ☒ The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: *priority to these applications may or may not be claimed on form PCT/RO/101 (Request) and this listing does not constitute a claims for priority.*)

| | | | |
|-----------------|------------|----------|-----------------|
| application no. | 60/243,925 | filed on | 26 October 2000 |
| application no. | | filed on | |

- D. ☐ The present international application ☐ contains additional subject matter not found in the prior U.S. application(s) identified in paragraph C above. The additional subject matter is found on pages: _____ and ☐ DOES NOT ALTER ☐ MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 USC 181 and 37 CFR 5.1. See 37 CFR 5.15.

III. ☐ A Response to an Invitation from the RO/US. The following document(s) is (are) enclosed:

- A. ☐ A Request for an Extension of Time to File a Response.
 B. ☐ A Power of Attorney (General or Regular)
 C. ☐ Replacement pages:

| | | | | | |
|-------|--|-----------------------------|-------|--|-----------------|
| pages | | of the request (PCT/RO/101) | pages | | of the figures |
| pages | | of the description | pages | | of the abstract |
| pages | | of the claims | | | |

- D. ☐ Submission of Priority Documents

| | | | |
|-------------------|--|-------------------|--|
| Priority document | | Priority document | |
|-------------------|--|-------------------|--|

- E. ☐ Fees as specified on attached Fee Calculation sheet form PCT/RO/101 annex

IV. ☐ A Request for rectification under PCT 91 ☐ A Petition ☐ A Sequence Listing Diskette

V. ☒ Other (please specify): PCT Request; PCT Fee Calculation Sheet; Postcard; PCT-EASY Diskette

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430.

| | | |
|-------------------------------------|--|----------------------|
| The person signing this form is the | <input type="checkbox"/> Applicant | Charles J. Kulas |
| | <input checked="" type="checkbox"/> Attorney/Agent (Reg. No.) 35,809 | Typed name of signer |
| | <input type="checkbox"/> Common Representative | Signature |

PCT REQUEST

18926-65-4PC

Original (for SUBMISSION) - printed on 26.10.2001 02:23:05 PM

| | | |
|----------------|--|---|
| 0 | For receiving Office use only | |
| 0-1 | International Application No. | |
| 0-2 | International Filing Date | |
| 0-3 | Name of receiving Office and "PCT International Application" | |
| 0-4 | Form - PCT/RO/101 PCT Request | |
| 0-4-1 | Prepared using | PCT-EASY Version 2.92 (updated 01.03.2001) |
| 0-5 | Petition The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty | |
| 0-6 | Receiving Office (specified by the applicant) | United States Patent and Trademark Office (USPTO) (RO/US) |
| 0-7 | Applicant's or agent's file reference | 18926-65-4PC |
| I | Title of Invention | INITIAL FREE PREVIEW FOR MULTIMEDIA MULTICAST CONTENT |
| II | Applicant | |
| II-1 | This person is: | applicant only |
| II-2 | Applicant for | all designated States |
| II-4 | Name | GENERAL INSTRUMENT CORPORATION |
| II-5 | Address: | 101 Tournament Drive Horsham, PA 19044 United States of America |
| II-6 | State of nationality | US |
| II-7 | State of residence | US |
| II-8 | Telephone No. | 215-957-6714 |
| II-9 | Facsimile No. | 215-956-6408 |
| III-1 | Applicant and/or inventor | |
| III-1-1 | This person is: | inventor only |
| III-1-4 | Name (LAST, First) | PETERKA, Petr |
| III-1-5 | Address: | 5126 Caminito Vista Lujo San Diego, CA 92130 United States of America |

PCT REQUEST

18926-65-4PC

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| | | |
|--------|---|--|
| IV-1 | Agent or common representative; or address for correspondence The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as: | agent |
| IV-1-1 | Name (LAST, First) | VOBACH, William, F. |
| IV-1-2 | Address: | Townsend and Townsend and Crew LLP Two Embarcadero Center Eighth Floor San Francisco, CA 94111-3834 United States of America |
| IV-1-3 | Telephone No. | 415-576-0200 |
| IV-1-4 | Facsimile No. | 415-576-0300 |
| IV-1-5 | Agent's registration No. | 39,411 |
| IV-2 | Additional agent(s) | additional agent(s) with same address as first named agent |
| IV-2-1 | Name(s) | KULAS, Charles, J.(35,809); BOUCHER, Patrick, M.(44,037); BENNETT, Robert, J.(27,533); NG, Horace(39,315); HAUGHEY, Paul, C.(31,836); OGAWA, Richard, T.(37,692); GRAY, Gerald, T.(41,797) |
| V | Designation of States | |
| V-1 | Regional Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned) | AP: GH GM KE LS MW MZ SD SL SZ TZ UG ZW and any other State which is a Contracting State of the Harare Protocol and of the PCT EA: AM AZ BY KG KZ MD RU TJ TM and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT EP: AT BE CH&LI CY DE DK ES FI FR GB GR IE IT LU MC NL PT SE TR and any other State which is a Contracting State of the European Patent Convention and of the PCT OA: BF BJ CF CG CI CM GA GN GQ GW ML MR NE SN TD TG and any other State which is a member State of OAPI and a Contracting State of the PCT |
| V-2 | National Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned) | AE AG AL AM AT AU AZ BA BB BG BR BY BZ CA CH&LI CN CO CR CU CZ DE DK DM DZ EC EE ES FI GB GD GE GH GM HR HU ID IL IN IS JP KE KG KP KR KZ LC LK LR LS LT LU LV MA MD MG MK MN MW MX MZ NO NZ PH PL PT RO RU SD SE SG SI SK SL TJ TM TR TT TZ UA UG UZ VN YU ZA ZW |

PCT REQUEST

18926-65-4PC

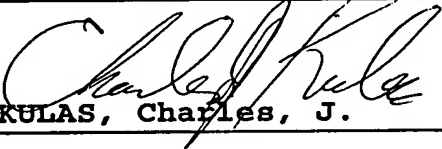
Original (for SUBMISSION) - printed on 26.10.2001 02:23:05 PM

| | | | |
|--------|---|---------------------------------------|-----------------------------|
| V-3 | National Patent (States which have become party to the PCT after the issuance of this version of EASY) | Oman | |
| V-5 | Precautionary Designation Statement In addition to the designations made under items V-1, V-2 and V-3, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except any designation(s) of the State(s) indicated under item V-6 below. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit. | | |
| V-6 | Exclusion(s) from precautionary designations | NONE | |
| VI-1 | Priority claim of earlier national application | | |
| VI-1-1 | Filing date | 26 October 2000 (26.10.2000) | |
| VI-1-2 | Number | 60/243,925 | |
| VI-1-3 | Country | US | |
| VI-2 | Priority document request The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) identified above as item(s): | VI-1 | |
| VII-1 | International Searching Authority Chosen | European Patent Office (EPO) (ISA/EP) | |
| VIII | Declarations | Number of declarations | |
| VIII-1 | Declaration as to the identity of the inventor | - | |
| VIII-2 | Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent | - | |
| VIII-3 | Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application | - | |
| VIII-4 | Declaration of inventorship (only for the purposes of the designation of the United States of America) | - | |
| VIII-5 | Declaration as to non-prejudicial disclosures or exceptions to lack of novelty | - | |
| IX | Check list | number of sheets | electronic file(s) attached |
| IX-1 | Request (including declaration sheets) | 4 | - |
| IX-2 | Description | 32 | - |
| IX-3 | Claims | 5 | - |
| IX-4 | Abstract | 1 | EZABST00.TXT |
| IX-5 | Drawings | 25 | - |
| IX-7 | TOTAL | 67 | |

PCT REQUEST

18926-65-4PC

Original (for SUBMISSION) - printed on 26.10.2001 02:23:05 PM

| | Accompanying Items | paper document(s) attached | electronic file(s) attached |
|-------|--|--|-----------------------------|
| IX-8 | Fee calculation sheet | ✓ | - |
| IX-17 | PCT-EASY diskette | - | Diskette |
| IX-18 | Other (specified): | Postcard | - |
| IX-18 | Other (specified): | Transmittal Letter | - |
| IX-19 | Figure of the drawings which should accompany the abstract | 1 | |
| IX-20 | Language of filing of the International application | English | |
| X-1 | Signature of applicant, agent or common representative |  | |
| X-1-1 | Name (LAST, First) | KULAS, Charles, J. | |
| X-2 | Signature of applicant, agent or common representative | | |
| X-2-1 | Name | GENERAL INSTRUMENT CORPORATION | |

FOR RECEIVING OFFICE USE ONLY

| | | |
|--------|---|---------------------------------|
| 10-1 | Date of actual receipt of the purported international application | JC02 Rec'd PCT/PTO 0 6 MAY 2002 |
| 10-2 | Drawings: | |
| 10-2-1 | Received | |
| 10-2-2 | Not received | |
| 10-3 | Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application | |
| 10-4 | Date of timely receipt of the required corrections under PCT Article 11(2) | |
| 10-5 | International Searching Authority | ISA/EP |
| 10-6 | Transmittal of search copy delayed until search fee is paid | |

FOR INTERNATIONAL BUREAU USE ONLY

| | | |
|------|--|--|
| 11-1 | Date of receipt of the record copy by the International Bureau | |
|------|--|--|

PCT (ANNEX - FEE CALCULATION SHEET)

18926-65-4PC

Original (for SUBMISSION) - printed on 26.10.2001 02:23:05 PM

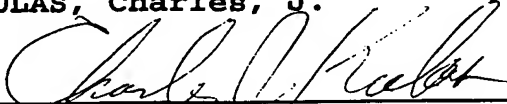
(This sheet is not part of and does not count as a sheet of the international application)

| | | | | |
|----------------|---|--|----------------------------|--|
| 0 | For receiving Office use only | | | |
| 0-1 | International Application No. | | | |
| 0-2 | Date stamp of the receiving Office | | | |
| 0-4 | Form - PCT/RO/101 (Annex) | | | |
| 0-4-1 | PCT Fee Calculation Sheet Prepared using | PCT-EASY Version 2.92 (updated 01.03.2001) | | |
| 0-9 | Applicant's or agent's file reference | 18926-65-4PC | | |
| 2 | Applicant | GENERAL INSTRUMENT CORPORATION | | |
| 12 | Calculation of prescribed fees | fee amount/multiplier | total amounts (USD) | |
| 12-1 | Transmittal fee T | ⇒ | 240 | |
| 12-2 | Search fee S | ⇒ | 846 | |
| 12-3 | International fee | | | |
| | Basic fee | | | |
| | (first 30 sheets) b1 | 382 | | |
| 12-4 | Remaining sheets | 37 | | |
| 12-5 | Additional amount (X) | 9 | | |
| 12-6 | Total additional amount b2 | 333 | | |
| 12-7 | b1 + b2 = B | 715 | | |
| 12-8 | Designation fees | | | |
| | Number of designations contained in international application | 90 | | |
| 12-9 | Number of designation fees payable (maximum 6) | 6 | | |
| 12-10 | Amount of designation fee (X) | 82 | | |
| 12-11 | Total designation fees D | 492 | | |
| 12-12 | PCT-EASY fee reduction R | -117 | | |
| 12-13 | Total International fee (B+D-R) I | ⇒ | 1,090 | |
| 12-14 | Fee for priority document | | | |
| | Number of priority documents requested | 1 | | |
| 12-15 | Fee per document (X) | 15 | | |
| 12-16 | Total priority document fee P | ⇒ | 15 | |
| 12-17 | TOTAL FEES PAYABLE (T+S+I+P) | ⇒ | 2,191 | |
| 12-19 | Mode of payment | authorization to charge deposit account | | |
| 12-20 | Deposit account Instructions | | | |
| | The receiving Office: | United States Patent and Trademark Office (USPTO) (RO/US) | | |
| 12-20-1 | Authorization to charge the total fees indicated above. | ✓ | | |
| 12-20-2 | Authorization to charge any deficiency or credit any overpayment in the total fees indicated above. | ✓ | | |

PCT (ANNEX - FEE CALCULATION SHEET)

18926-65-4PC

Original (for SUBMISSION) - printed on 26.10.2001 02:23:05 PM

| | | |
|---------|--|--|
| 12-20-3 | Authorization to charge the fee for priority document. | ✓ |
| 12-21 | Deposit account No. | 20-1430 |
| 12-22 | Date | 26 October 2001 (26.10.2001) |
| 12-23 | Name and signature | KULAS, Charles, J.  |

VALIDATION LOG AND REMARKS

| | | |
|---------|---------------------------------|---|
| 13-2-2 | Validation messages States | Green? More designations could be made. The following States have not been designated: US. Please verify. |
| | | Yellow! Additional national designation added: Obtain updated maintenance tables rather than using this field. . |
| 13-2-8 | Validation messages Fees | Green? Please confirm that fee schedule utilized is the latest available |
| 13-2-9 | Validation messages Payment | Green? Please ensure that you have a valid deposit account with the receiving Office selected. |
| 13-2-10 | Validation messages Annotate | Green? The name of the person signing the request or/and the capacity in which the person signs has/have not been indicated. Please be informed that some receiving Offices require that this information be present along with the signature. |